

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-N05-2014-0102-CX

CASEFILE/PROJECT NUMBER: COC49086

PROJECT NAME: Tri-State Meeker-Rangely Power Line Renewal

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado

T. 1 N., R. 95 W.,
sec. 28, lots 38 and 40;
sec. 31, lot 4;
sec. 32, lots 1, 24, 27, 31, 35, 42, 43, and 44;
sec. 34, lot 6 and NE $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 1 S., R. 95 W.,
sec. 6, lot 8.

T. 1 N., R. 96 W.,
sec. 6, lots 9, 10, 36, 37, 40, and 42;
sec. 7, lot 10;
sec. 8, lots 10 and 11;
sec. 9, lot 23;
sec. 16, lot 7;
sec. 22, lot 14 and NW $\frac{1}{4}$ NW $\frac{1}{4}$;
sec. 25, lot 17;
sec. 26, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 1 N., R. 97 W.,
sec. 1, lots 24, 27, and 29, S $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 2, lots 17, 21, 28, 30, 31, and 42;

T. 2 N., R. 97 W.,
sec. 19, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 20, lot 26 and S $\frac{1}{2}$ SW $\frac{1}{4}$;
sec. 28, lots 21 and 24, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
sec. 29, lots 5 and 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 33, lot 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
sec. 34, lots 8, 21, 23, 24, and 27.

T. 2 N., R. 98 W.,
sec. 5, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 6, lots 12 and 13, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$;
sec. 9, lots 4 and 6, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
sec. 10, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 11, lot 19, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 13, lot 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and
NW $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 2 N., R. 99 W.,
sec. 1, lots 7 and 8, S $\frac{1}{2}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$ NW $\frac{1}{4}$;
sec. 2, lots 5, 6, and 7.

T. 3 N., R. 99 W.,
sec. 35, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$.

APPLICANT: Tri-State Generation and Transmission Association, Inc.

DESCRIPTION OF PROPOSED ACTION: Tri-State Generation and Transmission Association, Inc. (hereafter Tri-State) submitted an application for renewal of right-of-way (ROW) COC49086. The Meeker-Rangely 138-kV transmission line initially was constructed by Moon Lake Electric Association in the 1960s with the original ROW grant (COC059394) issued in 1961. In 1976, a portion of the ROW grant was assigned to Colorado-Ute Electric Association (COC49086). This segment of line lies between Structure 156 in T3N, R99W, Section 35 and the Meeker Substation located at Structure 393 in T1N, R95W, Section 31. Tri-State acquired the assets of Colorado-Ute Electric Association in 1992. The transmission line from Structure 156 to the Rangely Substation is still owned and operated by Moon Lake Electric Association.

The ROW grant for the Meeker-Rangely 138-kV overhead transmission power line was issued on December 29, 1988. The transmission line crosses BLM, private, and Colorado State lands, runs east-west, and lies south of the White River in Rio Blanco County, Colorado. A plan of development, including access roads, for continued routine maintenance and operation of the existing transmission line is available for review in the case file at the BLM White River Field Office. Tri-State identified specific access roads needed to operate the line and conducted biological and cultural surveys.

The power line is 31.5 miles long with 17.2 miles on BLM lands. A 100 ft width is necessary for safe electrical clearance distances. The power line ROW is 17.2 miles long, 100 ft wide, and contains approximately 208.48 acres. Tri-State has identified 35.3 miles of roads across BLM lands needed to operate the line. A 30 ft wide ROW is needed for roads and access to structures. The ROW, including roads, would contain approximately 336.9 acres. The ROW would be renewed for a term of 30 years.

No additional disturbance is authorized by this action, and all applicable terms and conditions of the original ROW grant shall be carried forward and remain in full force and effect.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-49

Decision Language: "To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values."

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E9: "*Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.*"

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the		X

Extraordinary Circumstance	YES	NO
bureau of office.		
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 6/17/2014. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michel Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	6/25/2014
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	7/5/2014
Justina Thorsen	Ecologist	Special Status Plant Species	6/18/2014

REMARKS:

Cultural Resources: The power line ROW and identified access roads have been inventoried at the Class III (100 percent pedestrian) level (Gibson *et al* 2012, compliance dated 6/11/2012). The project inventory resulted in the re-evaluation and/or recordation of nine sites in the Area of Potential Effect (APE). Out of the nine recorded sites, two are directly located in the proposed access route rights-of-way, one on private land and one on land administered by Colorado Parks and Wildlife (CPW). These two sites were declared as potentially National Register of Historic Places (NRHP) eligible, and a recommendation was made that the sites be avoided by construction activity (Bowen 2012). Issuance of a right-of-way in and of itself does not necessarily impact cultural resources; however, maintenance activities can result in impacts to cultural resources.

Maintenance of access through these sites has the potential to adversely impact potentially NRHP eligible sites. While the BLM cannot directly order private land owners to protect their NRHP properties, the BLM must consider the impacts to these properties. Any impact to these properties would represent a permanent, long term irreversible and irretrievable loss of scientific and historical data from the regional cultural database. Cumulative losses diminish our ability to understand the history of human use and occupation of the area.

Native American Religious Concerns: No Native American religious concerns are known in the area, and none have been noted by Northern Ute Tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Paleontological resources: The ROW crosses five geologic formations including Quaternary Alluvium, Wasatch Formation, Parachute Creek Formation, Douglas Creek Member of the Green River Formation, Lower part of the Green River and Wasatch, and Wasatch (including the Fort Union at the base) and Ohio Creek (Tweto 1979). All of the formations except the Quaternary Alluvium are classified by the BLM as Potential Fossil Yield Classification (PFYC) 5 formations indicating that they are known to produce scientifically noteworthy and significant fossil resources (c. Armstrong and Wolny 1989, Doi 1990). Right-of-way issuance does not necessarily result in impacts to fossil resources that are not exposed at the surface.

Right-of-way maintenance activities have the potential to adversely impact fossil resources that may be exposed at the surface within the ROW. Surface travel along the ROW by equipment or use of equipment to maintain access route to the ROW has the potential to crush and/or displace fossil resources from their context. Any excavations into the underlying sedimentary rock formations to maintain access or set new poles have the potential to adversely impact fossils. However, if an auger is used to drill new holes for poles there is no known method for adequately monitoring impacts, identifying impacts to fossils, or evaluating their scientific value. Any impact to fossil resources represents a permanent, long term, irreversible, and irretrievable loss of scientific data from the regional paleontological database.

Special Status Wildlife Species: There are no wildlife-related issues or concerns associated with renewal of the power line right-of-way.

Special Status Plant Species: There are no special status plant species concerns or issues associated with the Proposed Action.

REFERENCES CITED:

Armstrong, Harley J., and David G. Wolny
1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Northwest Colorado, Grand Junction, Colorado.

Bowen, Kristin

2014 Informational Letter to Mr. Edward Nichols, Colorado State Historic Preservation Officer. Letter on file in White River Field Office, Meeker, Colorado.

Doi, Kentaro

1990 Geology, And paleontology of Two Primate Families of the Raven Ridge, Northwestern Colorado and Northeastern Utah. Unpublished Master's Thesis, Department of Geological Sciences, University of Colorado, Boulder, Colorado. Manuscript on file at WRFO, Meeker, Colorado.

Gibson, Bonnie K., Jason Marmor, and Kevin W. Thompson

2012 Tri-State Generation and Transmission Association, Inc., Meeker-Rangely Transmission Line, Class III Cultural Resources inventory, Rio Blanco County, Colorado. PaleoWest Archaeology, Denver, Colorado. (11-167-01: OAH # RB.LM.R1274)

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION:

1. All applicable terms, conditions, and stipulations contained in the original ROW grant and any amendments shall be carried forward and remain in full force and effect. No new construction is authorized.
2. At least 90 days prior to termination of the right-of-way, the holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material; recontouring; topsoiling; or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
3. The holder shall conduct all activities associated with the operation and termination of the right-of-way within the authorized limits of the right-of-way.
4. Any proposal involving additional surface disturbance outside of the existing right-of-way disturbance requires an application to the BLM for analysis and authorization. New stipulations for construction would be applied to projects subject to the regulations and policies existing at the time of authorization.
5. The holder shall monitor all disturbed and reclaimed areas through final abandonment for the presence of invasive, non-native, and/or noxious plant species. The holder will be responsible for eradication of noxious weeds that occur on site using materials and methods approved in advance by the Authorized Officer.

6. The holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.

7. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

8. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

9. The holder is responsible for informing all persons who are associated with project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the holder must immediately contact the appropriate BLM representative.

10. The holder shall notify the authorized officer at least 60 days prior to non-emergency activities that would cause surface disturbance in the right-of-way. A "Notice to Proceed" shall be required prior to any non-emergency activities that would cause surface disturbance on the right-of-way. Any request for a "Notice to Proceed" must be made to the authorized officer, who will review the Proposed Action for consistency with resource management concerns such as wildlife, big game winter range, paleontology, special status species, and cultural resource protection. The authorized officer may require the completion of special status species surveys or other resource surveys. Additional measures may be required to protect special status species or other resources.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The holder will be notified of compliance related issues, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Ester McCullough

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E9. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL:


Acting Field Manager

DATE SIGNED:

8/1/14

ATTACHMENTS: Exhibit A - Maps of Proposed Action

Meeker-Rangely Transmission Power Line

Exhibit A

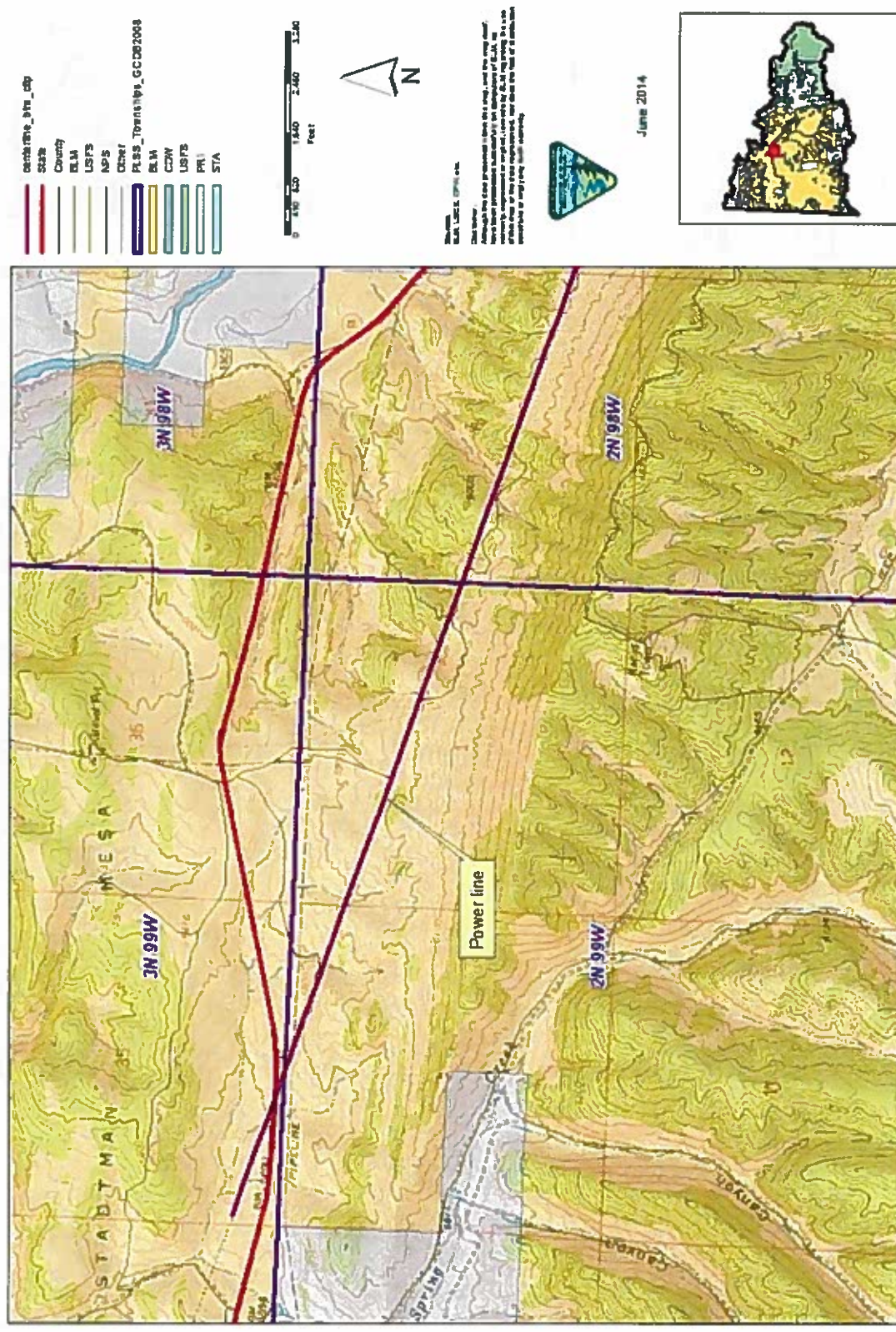


Exhibit A



Exhibit A



Exhibit A

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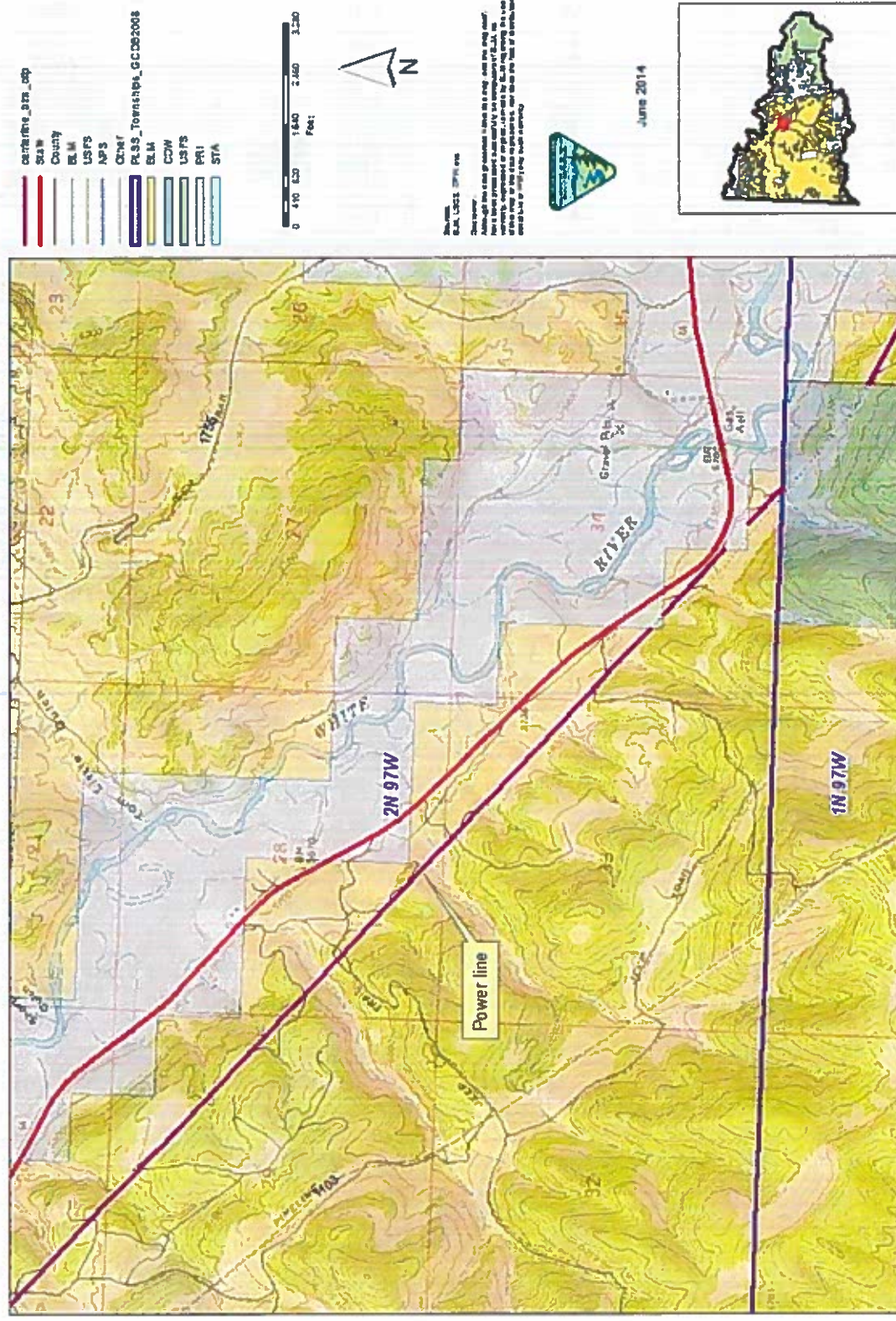
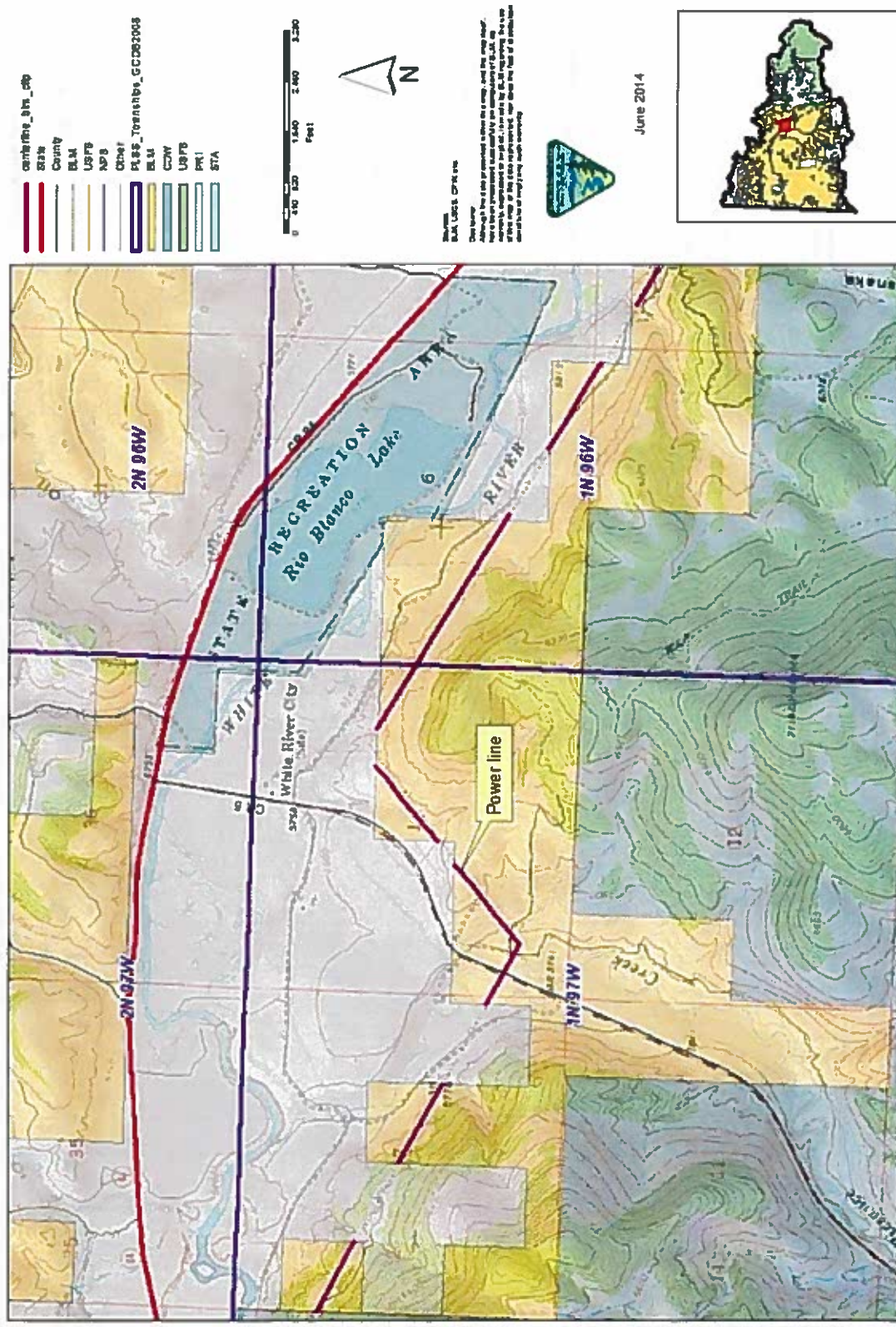


Exhibit A

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Meeker-Rangely Transmission Power Line

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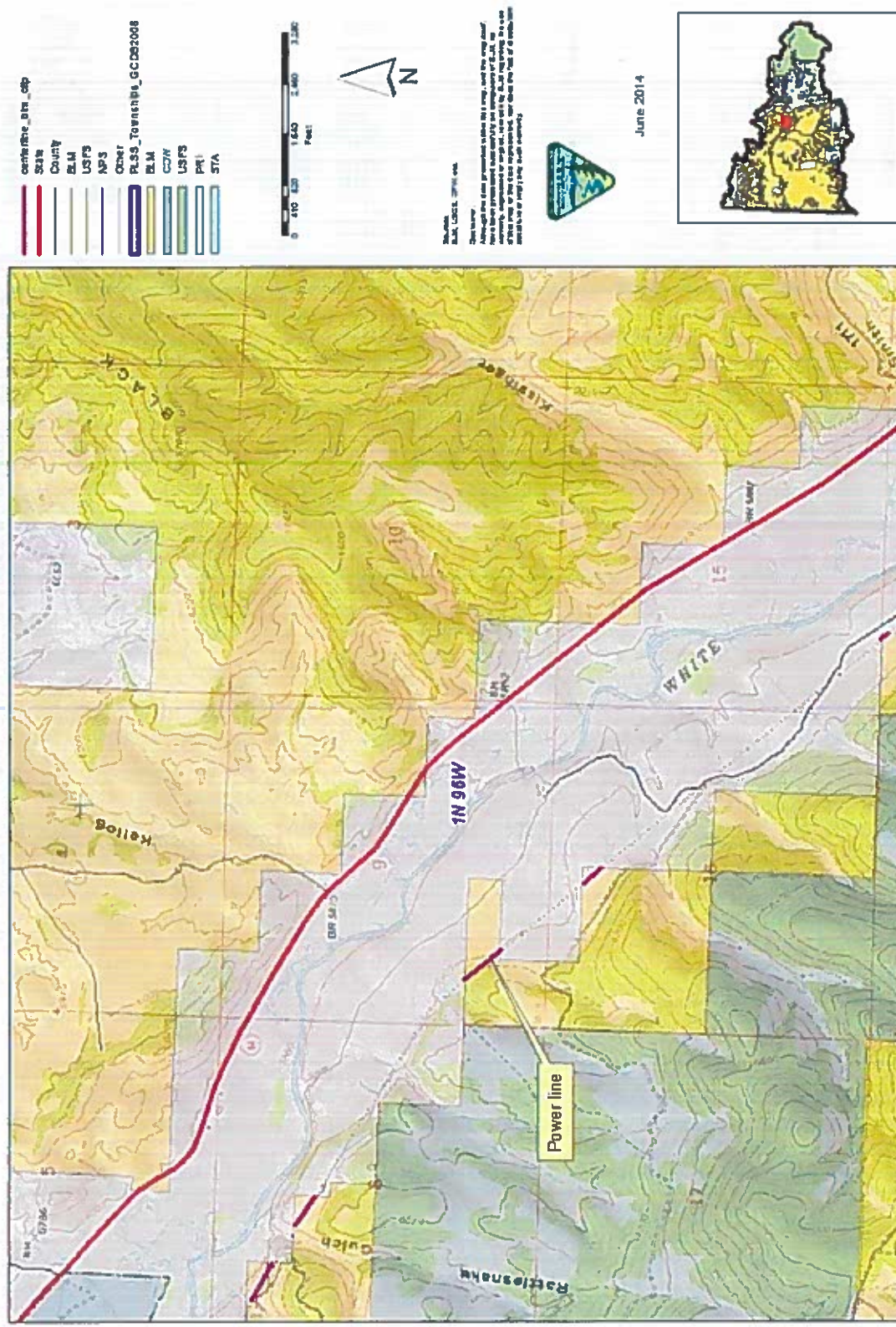


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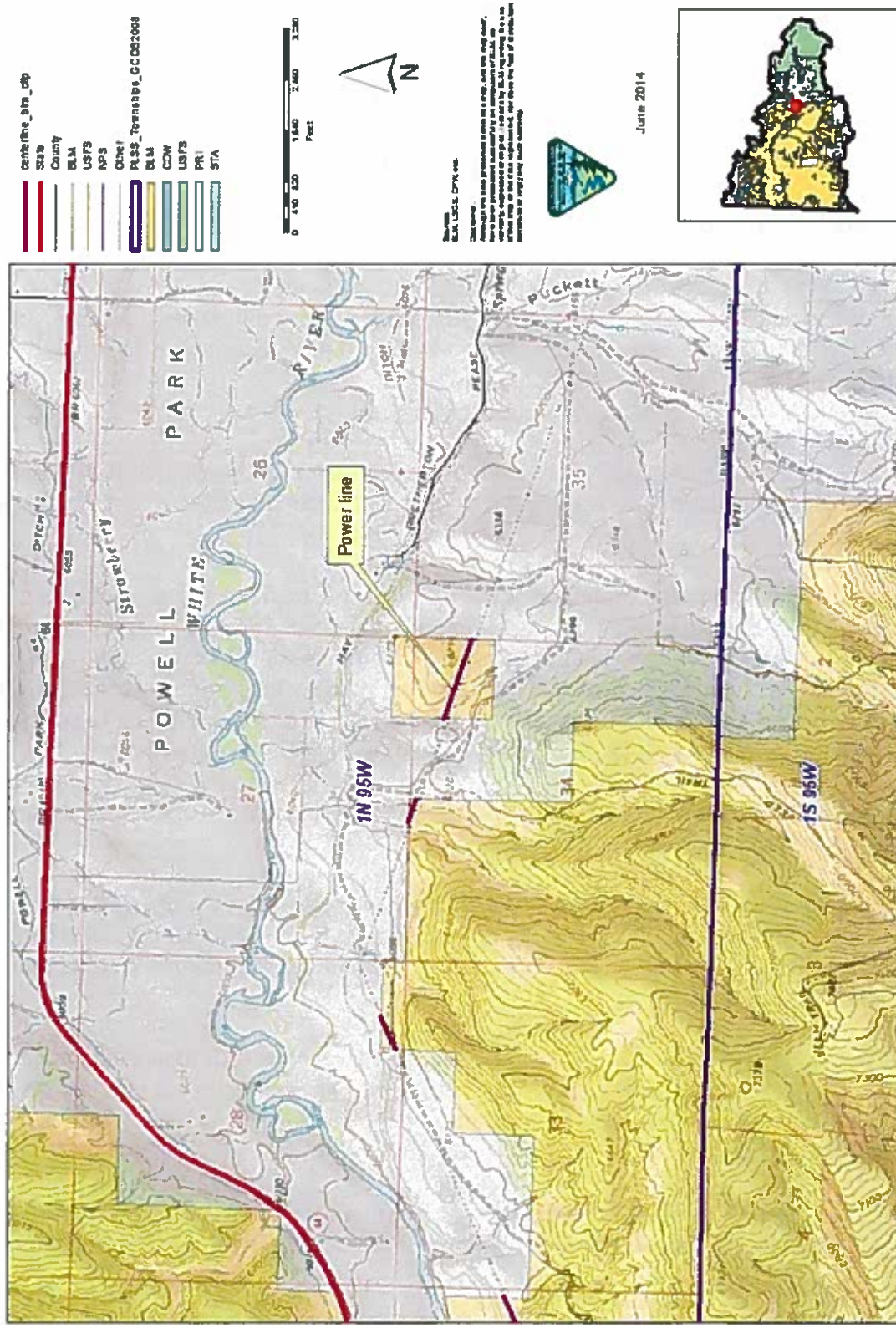


Exhibit A



Meeker-Rangely Transmission Power Line

Exhibit A



**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

DECISION RECORD

PROJECT NAME: Tri-State Meeker-Rangely Power Line Renewal

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-N05-2014-0102-CX

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-N05-2014-0102-CX, authorizing the renewal of right-of-way COC49086 for continued operation and maintenance of an overhead transmission power line.

Mitigation Measures

1. All applicable terms, conditions, and stipulations contained in the original ROW grant and any amendments shall be carried forward and remain in full force and effect. No new construction is authorized.
2. At least 90 days prior to termination of the right-of-way, the holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material; recontouring; topsoiling; or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
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8. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

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COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT

The BLM informed the public about this project by listing it on the online WRFO NEPA Register on 7/3/2014 and a copy of the completed Categorical Exclusion will be posted on the WRFO website.

RATIONALE

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E9. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

ADMINISTRATIVE REMEDIES

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

SIGNATURE OF AUTHORIZED OFFICIAL:


Acting Field Manager

DATE SIGNED:

8/1/14